

## Message Text

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56

ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 SCA-01 SSO-00 SS-15 SP-02

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INRE-00 /049 R

DRAFTED BY L/C:TTFHUANG:MB

APPROVED BY L/C:FAKWIA TEK

NEA/EGY:GGBROWN

L:GHALDRICH

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O 152013Z JUL 76

FM SECSTATE WASHDC

TO AMEMBASSY CAIRO IMMEDIATE

C O N F I D E N T I A L STATE 175443

E.O. 11652:GDS

TAGS: PFOR, EFIN, CPRS, US, EG

SUBJECT: APPROVAL BY EGYPTIAN PARLIAMENT OF DRAFT AGREEMENT  
ON PRIVATE CLAIMS OF U.S. NATIONALS--ATTENTION ARTICLE II

REFS: (A) CAIRO 11400, NOVEMBER 11, 1975, (B) CAIRO 9548,  
(C) CAIRO A-82, (D) STATE 171754, (E) CAIRO 8294

1. IN PREPARATION FOR ANTICIPATED ENTRY INTO FORCE OF  
DRAFT CLAIMS AGREEMENT UNDER REF (C), DEPARTMENT  
DISCOVERS THAT PARAGRAPH 1 OF ARTICLE II IS DEFECTIVE IN  
THAT THE FOLLOWING LANGUAGE HAS BEEN OMITTED: "SEQUES-  
TRATION, NATIONALIZATION, EXPROPRIATION, CONFISCATION AND  
OTHER RESTRICTIVE MEASURES".

2. FULL AND ACCURATE TEXT OF PARAGRAPH 1 OF ARTICLE II IS  
CONTAINED IN REF (A) AND IN FINAL DRAFT AGREEMENT WHICH  
L/C-HUANG LEFT WITH EMBASSY IN NOVEMBER 1975. IT READS:

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QUOTE 1. THE CLAIMS WHICH ARE REFERRED TO IN ARTICLE I,

AND WHICH ARE BEING SETTLED AND DISCHARGED BY THIS AGREEMENT, ARE CLAIMS OF NATIONALS OF THE UNITED STATES FOR:

PROPERTY, RIGHTS AND INTERESTS IN EGYPT AFFECTED BY

EGYPTIAN MEASURES OF LAND REFORM, SEQUESTRATION, NATIONALIZATION, EXPROPRIATION, CONFISCATION AND OTHER RESTRICTIVE MEASURES AGAINST SUCH PROPERTY, RIGHTS AND INTERESTS, AS WELL AS FINANCIAL AND FISCAL MATTERS DECREED BY THE ARAB REPUBLIC OF EGYPT, WHICH OCCURRED SINCE JANUARY 1, 1952, AND BEFORE THE ENTRY INTO FORCE OF THIS AGREEMENT. UNQUOTE

3. DEPARTMENT APOLOGIZES FOR NOT HAVING DETECTED FOREGOING OMISSION SOONER.

4. IN VIEW OF REPORTED APPROVAL BY EGYPTIAN PEOPLE'S ASSEMBLY (REF B), DEPARTMENT IS PARTICULARLY CONCERNED THAT FOREGOING MATTER NOT REPEAT NOT DELAY ENTRY INTO FORCE OF DRAFT AGREEMENT. DEPARTMENT DEFERS TO EMBASSY WHETHER THIS MATTER SHOULD BE BROUGHT TO THE ATTENTION OF THE APPROPRIATE EGYPTIAN AUTHORITIES IMMEDIATELY OR WAIT UNTIL THE EGYPTIAN AUTHORITIES OFFICIALLY NOTIFY EMBASSY OF DATE FOR ENTRY INTO FORCE OF DRAFT AGREEMENT IN FORMAL NOTE, AT WHICH TIME EMBASSY WOULD, IN LOW KEY, POINT OUT THE ERROR/OMISSION. IN EITHER CASE, THE EGYPTIAN AUTHORITIES SHOULD HAVE NO OBJECTION SINCE IT DOES NOT INVOLVE ANY SUBSTANTIVE CHANGE, BUT IS MERELY A RECTIFICATION OF THE AGREED RECORD. DEPARTMENT DOES NOT WANT ANY DELAY, FOR EXAMPLE, BY EGYPTIAN REQUIREMENT THAT THIS BE BROUGHT TO THE ATTENTION OF THE APPROPRIATE EGYPTIAN AUTHORITIES, INCLUDING THE EGYPTIAN PEOPLE'S ASSEMBLY AND ITS COMMITTEES.

5. SINCE FOREGOING MATTER HAS NOW SURFACED, IT WOULD BE DESIRABLE TO RECTIFY AT THE SAME TIME AND IN SAME MANNER ANOTHER OMISSION IN PARAGRAPH 1 OF AGREED MINUTE (DOCUMENT FIVE). THE FOLLOWING LANGUAGE, "AND CERTAIN SPECIFIC PRIVATE CLAIMS OF NATIONALS OF THE UNITED STATES" HAS ALSO BEEN OMITTED. LAST PART OF PARAGRAPH 1 AS CORRECTED  
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SHOULD READ: "...THE FOLLOWING ENUMERATED OFFICIAL CLAIMS OF THE GOVERNMENT OF THE UNITED STATES AND CERTAIN SPECIFIC PRIVATE CLAIMS OF NATIONALS OF THE UNITED STATES HAVE BEEN EXCLUDED FROM THE REFERENCED AGREEMENT." AGAIN, THIS DOES NOT INVOLVE ANY SUBSTANTIVE CHANGE, BUT IS MERELY A RECTIFICATION OF THE AGREED RECORD. KISSINGER

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## Message Attributes

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